

REMARKS

Claims 1-5 and 7-22 are pending in the present application. By this reply, new claim 22 has been added. Reconsideration of this application is respectfully requested

35 U.S.C. § 102(e) and § 103 Rejections

Claims 1-4, 7-10 and 12-16 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Goldschmidt Iki et al. (Goldschmidt, USPN 6,594,825). Claims 5 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldschmidt. Claims 17-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldschmidt in view of Schneidewend et al. (Schneidewend, USPN 6,182,287). These rejections are respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

Applicant's invention discloses a method and apparatus to receive an identical broadcasting program of an identical version from another medium when the broadcasting signals are not transmitted or only poor signals are transmitted for a certain reason while the user watches the program. To achieve this, Applicant's invention searches through multiple broadcasting media for a broadcasting program that has the same source ID of the broadcasting program, where the source ID is specific to a specific version of each broadcasting

program, and thus locates other broadcasting media that provide the identical version of the identical broadcasting program that has the same source ID.

With regard to amended independent claims 1, 12 and 17, Goldschmidt teaches a method and apparatus to select a version of an entertainment program based on user preferences after searching for different versions of the entertainment program on electronic programming guide 212 (EPG). Unlike Goldschmidt that searches the EPG (not the multiplex broadcasting media as in Applicant's invention) for different versions of a program to satisfy user preferences, the Applicant's invention searches the multiplex broadcasting media for the identical broadcast program of the identical version, as described above. Therefore, Goldschmidt does not teach or suggest the feature of searching for the identical broadcast program of the identical version, as disclosed in amended independent claims 1, 12 and 17 of Applicant's invention.

With regard to independent claim 9, Goldschmidt does not teach or suggest the feature of searching for a broadcasting program having the same source ID as the source ID of the received broadcasting program. The Examiner equated "identifier" in Goldschmidt to Applicant's "source ID." Goldschmidt identifies different versions of a program by searching EPG 212 for additional entries having the same "identifier," where the "identifier" can be a movie title, sitcom name and episode number, etc. Applicant's source ID is distinguished from Goldschmidt's "identifier" in that a specific source ID is

assigned to each identical broadcasting program of an identical version while the “identifier” is a generic search term that is used to locate different versions of the program. In Applicant’s invention, by searching for the same source ID, it locates the identical version of the identical program, instead of the different versions of a program. Thus, Goldschmidt’s “identifier” is not and cannot be equated to Applicant’s claimed “source ID.”

On the other hand, Goldschmidt actually teaches a source identifier 402. However, Goldschmidt does not search for the source identifier 402, but rather the source identifier 402 in Goldschmidt is provided merely as useful information to a user. Hence, in such a case, Goldschmidt lacks, inter alia, “searching for a broadcasting program having a source ID identical to the read source ID from multiplex media so as to locate a broadcasting program identical to the transmitted broadcasting program,” as required by independent claim 9.

Alternatively, dependent claims 2, 13 and 21 teach searching for the same source ID, which is not disclosed in Goldschmidt for the reasons stated above. In addition, dependent claims 8, 16 and 20 requires that the searching is performed automatically in case the received broadcasting signal is in poor quality, which is also not disclosed in Goldschmidt. Hence, these dependent claims are allowable.

Furthermore, Schneidewend does not overcome these deficiencies of Goldschmidt since Schneidewend is merely directed to an apparatus for

receiving video program data and an on-screen display interface system for enabling navigation through user selected favorite multimedia services.

Thus, Goldschmidt et al. and Schneidewend et al., taken either singularly or in combination, clearly do not teach or suggest the invention as recited in independent claims 1, 9, 12, and 17 and their dependent claims (due to the dependency). Reconsideration and withdrawal of the rejections based on these reasons are respectfully requested.

New Claim

Claim 22 has been added for the Examiner's consideration. Applicant submits that claim 22 depends from independent claim 9, and is therefore allowable based on its dependence from claim 9, which is believed to be allowable. Consideration and allowance of claim 22 are respectfully requested.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, Applicant respectfully requests the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicits an early issuance of a Notice of Allowance.

The Examiner is respectfully requested to enter this Amendment After Final, in that it raises no new issues but merely places the claims in a form more clearly patentable over the references of record. In the alternative, the

Examiner is respectfully requested to enter this Amendment After Final in that it reduces the issues for appeal.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By Esther H. Chong
Esther H. Chong,
Registration No. 40,953

P.O. Box 747
Falls Church, VA 22032-0747
(703) 205-8000

EHC/ta